



General Assembly

January Session, 2005

Amendment

LCO No. 6939

HB0674906939HR0

Offered by:
REP. WARD, 86th Dist.

To: Subst. House Bill No. 6749

File No. 626

Cal. No. 451

**"AN ACT CONCERNING THE REGISTRATION OF SEXUAL
OFFENDERS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 53a-35a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2005*):

5 For any felony committed on or after July 1, 1981, the sentence of
6 imprisonment shall be a definite sentence and the term shall be fixed
7 by the court as follows: (1) For a capital felony, a term of life
8 imprisonment without the possibility of release unless a sentence of
9 death is imposed in accordance with section 53a-46a; (2) for the class A
10 felony of murder, a term not less than twenty-five years nor more than
11 life; (3) for the class A felony of sexual assault in the first degree under
12 subdivision (1) of subsection (a) of section 53a-70 where the victim of
13 the offense was under thirteen years of age at the time of the offense, a
14 term not less than twenty-five years nor more than life; (4) for a class A
15 felony other than [murder] an offense specified in subdivision (2) or (3)

16 of this subsection, a term not less than ten years nor more than twenty-
17 five years; [(4)] (5) for the class B felony of manslaughter in the first
18 degree with a firearm under section 53a-55a, a term not less than five
19 years nor more than forty years; [(5)] (6) for a class B felony other than
20 manslaughter in the first degree with a firearm under section 53a-55a,
21 a term not less than one year nor more than twenty years, except that
22 for a conviction under section 53a-59(a)(1), 53a-59a, 53a-70a, 53a-94a,
23 53a-101(a)(1) or 53a-134(a)(2), the term shall be not less than five years
24 nor more than twenty years; [(6)] (7) for a class C felony, a term not
25 less than one year nor more than ten years, except that for a conviction
26 under section 53a-56a, the term shall be not less than three years nor
27 more than ten years; [(7)] (8) for a class D felony, a term not less than
28 one year nor more than five years, except that for a conviction under
29 section 53a-60b or 53a-217, the term shall be not less than two years nor
30 more than five years, for a conviction under section 53a-60c, the term
31 shall be not less than three years nor more than five years, and for a
32 conviction under section 53a-216, the term shall be five years; [(8)] (9)
33 for an unclassified felony, a term in accordance with the sentence
34 specified in the section of the general statutes that defines the crime.

35 Sec. 502. Section 54-125e of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2005*):

37 (a) Any person convicted of a crime committed on or after October
38 1, 1998, who received a definite sentence of more than two years
39 followed by a period of special parole shall, at the expiration of the
40 maximum term or terms of imprisonment imposed by the court, be
41 automatically transferred to the jurisdiction of the chairperson of the
42 Board of Pardons and Paroles or, if such person has previously been
43 released on parole pursuant to subsection (a) of section 54-125a or
44 section 54-131a, remain under the jurisdiction of said chairperson until
45 the expiration of the period of special parole imposed by the court. The
46 Department of Correction shall be responsible for the supervision of
47 any person transferred to the jurisdiction of the chairperson of the
48 Board of Pardons and Paroles under this section during such person's
49 period of special parole.

50 (b) Any person sentenced to a period of special parole shall be
51 subject to such rules and conditions as may be established by the
52 Board of Pardons and Paroles or its chairperson pursuant to section 54-
53 126.

54 (c) The period of special parole shall be not less than one year nor
55 more than ten years, except that (1) such period may be for more than
56 ten years for a person convicted of a violation of subdivision (2) of
57 section 53-21 of the general statutes in effect prior to October 1, 2000,
58 subdivision (2) of subsection (a) of section 53a-70, 53a-
59 70a, 53a-70b, 53a-71, 53a-72a or 53a-72b or sentenced as a persistent
60 dangerous felony offender pursuant to subsection (h) of section 53a-40
61 or as a persistent serious felony offender pursuant to subsection (j) of
62 section 53a-40, and (2) such period shall be for life for a person
63 convicted of a violation of subdivision (1) of subsection (a) of section
64 53a-70 if the victim of the offense was under thirteen years of age at the
65 time of the offense.

66 (d) Any person sentenced to a period of special parole for conviction
67 of a violation of subdivision (1) of subsection (a) of section 53a-70
68 where the victim of the offense was under thirteen years of age at the
69 time of the offense shall, as a condition of such special parole, be
70 subject to electronic monitoring by means of a global positioning
71 system device for the duration of such person's period of special
72 parole.

73 ~~[(d)]~~ (e) Whenever a parolee has, in the judgment of such parolee's
74 parole officer, violated the conditions of his or her special parole, the
75 board shall cause the parolee to be brought before it without
76 unnecessary delay for a hearing on the violation charges. At such
77 hearing, the parolee shall be informed of the manner in which such
78 parolee is alleged to have violated the conditions of such parolee's
79 special parole and shall be advised by the employee of the board
80 conducting the hearing of such parolee's due process rights.

81 ~~[(e)]~~ (f) If such violation is established, the board may: (1) Continue

82 the sentence of special parole; (2) modify or enlarge the conditions of
83 special parole; or (3) revoke the sentence of special parole.

84 [(f)] (g) If the board revokes special parole for a parolee, the
85 chairperson may issue a mittimus for the commitment of such parolee
86 to a correctional institution for any period not to exceed the unexpired
87 portion of the period of special parole.

88 [(g)] (h) Whenever special parole has been revoked for a parolee, the
89 board may, at any time during the unexpired portion of the period of
90 special parole, allow the parolee to be released again on special parole
91 without court order."